

~~(2) -- THE EXPIRATION OF THE 5TH TAXABLE YEAR -- FOLLOWING THE TAXABLE YEAR IN WHICH THE COGENERATOR WAS FIRST ENTITLED TO CLAIM THE CREDIT.~~

(C) (1) A COGENERATOR MAY ONLY APPLY THE CREDIT AGAINST THE STATE INCOME TAX FOR THE TAXABLE YEAR IN WHICH THE CREDIT WAS EARNED.

(2) THE AMOUNT OF THE CREDIT MAY NOT EXCEED THE STATE INCOME TAX FOR THAT TAXABLE YEAR.

10-706.

(b) (1) A credit under § 10-702 [or § 10-703], § 10-703, OR § 10-704.1 of this subtitle is allowed against only the State income tax.

(2) The county income tax is based on the amount of State income tax before the State income tax is reduced by the credit.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Economic and Employment Development shall provide a report by January 1, 1997 on the status of this Act including the economic benefits provided by the Act to any cogenerator, and the effect on State corporate income tax revenues and on the local economy affected by this Act.

SECTION -2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989 and shall be applicable to all taxable years and calendar years beginning after December 31, 1988 and shall remain effective for a period of eight years and at the end of June 30, 1997, and with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Article II, Section 17(c) of the Constitution of Maryland states:

Section 17.

(c) Any Bill presented to the Governor within six days (Sundays excepted), prior to adjournment of any session of the General Assembly, or after such adjournment, shall become law without the Governor's signature unless it is vetoed by the Governor within 30 days after its presentment.

On April 30, 1989, the Secretary of the Senate and the Chief Clerk of the House of Delegates formally presented to the Governor's designee House Bill 1475, Senate Bill 525, and House